

ORIGINAL

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ATTORNEY FOR DEFENDANT
KEVIN PATRICK CASH

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 17 2006

at 9 o'clock and 00 min. M
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,
Plaintiff,

VS.

VIRGINIA M. ROSAS GUERRERO,
(01)
ROBERT ALEXANDER SIGUOIN,
(02)

KEVIN PATRICK CASH, (03)
Defendants.

CR. NO. 05-00248 JMS (03)

NOTICE OF MOTION, MOTION FOR
SEVERANCE OF DEFENDANTS FOR
TRIAL; MEMORANDUM OF LAW;
DECLARATION OF COUNSEL;
CERTIFICATE OF SERVICE

DATE: _____
TIME: _____
JUDGE: J. Michael Seabright

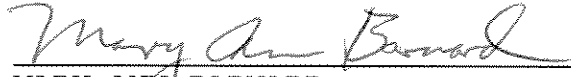
NOTICE OF MOTION

TO: EDWARD H. KUBO, JR
United States Attorney

MARK A. INCIONG, Esq.
Assistant United States Attorney
PJKK Federal Building
Room 6-100, 300 Ala Moana
Honolulu, HI 96850

PLEASE TAKE NOTICE that the foregoing Motion will be presented before the Honorable **J. Michael Seabright**, Judge of the above-entitled Court, in his Courtroom located in the Federal Building, 300 Ala Moana, Honolulu, Hawaii on _____ at _____ or a soon thereafter as counsel may be heard.

DATED: Honolulu, Hawaii January 14, 2006.


MARY ANN BARNARD
Attorney for Defendant
KEVIN PATRICK CASH

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ATTORNEY FOR DEFENDANT
KEVIN PATRICK CASH

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 05-00248 JMS (03)
)
 Plaintiff,)
)
 VS.)
)
)
 VIRGINIA M. ROSAS GUERRERO,)
 (01)) MOTION FOR SEVERANCE OF
 ROBERT ALEXANDER SIGUOIN,) DEFENDANTS FOR TRIAL
 (02))
 KEVIN PATRICK CASH, (03))
)
 Defendants.)
)
)
)
)
)
)
)

MOTION FOR SEVERANCE OF DEFENDANTS FOR TRIAL

Defendant KEVIN PATRICK CASH, by and through counsel, MARY ANN BARNARD, moves the Honorable Judge J. MICHAEL SEABRIGHT for an Order severing his trial in Counts 1, 3, and 4 from the trial of co-defendant Robert Alexander Siguoine, charged in Counts 1, 2, 5, and 6, in the above-entitled case, and directing that a separate trial be conducted for Counts 1, 3 and 4 as they relate to Mr. Cash.

This Motion is brought pursuant to Rules 8(b), 12, 14, and 47 of the Federal Rules of Penal Procedure and is based upon the 5th, 6th and 14th Amendments to the United States Constitution. This motion is also based on the Declaration of Counsel, the Memorandum In Support of Motion, (attached hereto and incorporated herein by reference), and any further evidence which may be adduced at a hearing on this motion.

DATED: Honolulu, Hawaii, January 14, 2006.


MARY ANN BARNARD
ATTORNEY AT LAW

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following party on the 18th day of January, 2006 by:

☒ Placing in court jacket, [] mailing, ☒ hand delivery:

Mark A. Inciong, Esq.
Assistant United States Attorney
PJKK Federal Building
Room 6-100, 300 Ala Moana
Honolulu, HI 96813

[] Placing in court jacket, [] mailing, [] hand delivery:

Federal Pretrial Services
PJKK Federal Building
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Honolulu, HI 968613

[] Placing in court jacket, [] mailing, [] hand delivery:

Mary Ann Barnard
Mary Ann Barnard